

R381-70-11. CHILD SUPERVISION AND SECURITY.

This section explains the rules regarding the supervision and security of the children.

Supervision is basic to safety and the prevention of injury and maintaining quality child care. Parents/guardians have a contract with caregivers/teachers to supervise their children. CFOC 4th ed. Standard 2.2.0.1 p.p. 68.

Supervision rules apply to all children in care. This includes the provider's and employees' children younger than 4 years old when those children are with other qualifying children while on the premises, being transported, or participating in offsite activities.

Do Supervision Rules Apply to the Child?

Child's Age	Unrelated Child	Provider's Own Child	Caregiver's Own Child	Other Related Child
Younger than 4 years old	Yes	Yes	Yes	Yes
4 years and older	Yes	No*	No*	Yes

**The supervision rules do not apply to the provider's and caregiver's children who are four years old and older, as long as the provider or caregiver is working at the facility or performing work-related duties.*

Refer to the following guidelines:

- Supervision means having awareness of and responsibility for each child, and being near enough to intervene as needed.
- Any individual who counts in the caregiver-to-child ratio is responsible for the supervision and security of the children.
- It is a lack of supervision if any child is left in the care of an individual younger than 16 years old. Individuals who are 16 or 17 years old may be caregivers, but may not be left alone with a child in care on the premises, in vehicles, or during offsite activities
- All supervision rules apply to the provider's and caregivers' qualifying children while in care at the facility, during transportation, and during offsite activities.
- It is not a lack of supervision if the provider or caregiver gives permission for their own children to leave the premises in the company of another person (including a sibling).

- (1) The provider shall ensure that caregivers provide and maintain active supervision of each child, including that staff:
- (a) can hear the children and is close enough to intervene;
 - (b) know the number of children in their care at any time;
 - (c) focus attention on the children and not on caregivers' personal interests;
 - (d) are aware of the entire group of children even when interacting with a smaller group or an individual child; and
 - (e) position themselves so each child in their assigned group is actively supervised.

Rationale/Explanation

Caregivers/teachers should directly supervise infants, toddlers, and preschoolers by sight and hearing at all times, even when the children are going to sleep, napping or sleeping, are beginning to wake up, or are indoors or outdoors. Children who are presumed to be sleeping might be awake and in need of adult attention. A child's risk-taking behavior must be detected and illness, fear, or other stressful behaviors must be noticed and managed. School-age children should be within sight or hearing at all times. Children are going to be more active in the outdoor learning/play environment and need more supervision rather than less outside. CFOC 4th ed. Standard 2.2.0.1 p.p. 68.

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Regular counting of children (name to face) will alert the staff to begin a search before the child gets too far, into trouble, or slips into an unobserved location. Caregivers/teachers should do the counts before the group leaves an area and when the group enters a new area. The facility should assign and reassign counting responsibility as needed to maintain a counting routine. CFOC 4th ed. Standard 2.2.0.1 p.p. 69.

Compliance Guidelines

Actively supervising children requires that caregivers:

- Focus their attention on the children rather than on a personal task such as visiting with another adult, talking on a cell phone, text messaging, reading, lesson planning, napping (even when children are napping), or performing tasks unrelated to child care. It is a rule violation, if a personal task, such as texting or talking on a cell phone, interferes with a caregiver's active supervision of the children.
- Are positioned to be aware of and actively supervise each child in the group.

Inside Supervision

Active supervision is assessed based on the following descriptions of a "room," which affect a caregiver's ability to see and/or hear children and intervene when necessary.

When a large room is divided into smaller rooms/areas with barriers such as furniture or with half walls, the room/area will be considered:

- One room, if the room is divided by a solid barrier that is less than 24 inches, whether the barrier is movable or immovable.
- One room, if the room is divided by a solid barrier that is between 24 and 40 inches in height and there is an opening in the barrier through which caregivers and children can move freely.
- Two rooms, if the room is divided by a solid barrier that is between 24 and 40 inches in height and there is no opening in the barrier through which caregivers and children can move freely, or there is an opening between the two sides but the opening is blocked such as with a child safety gate.
- Two rooms, if the room is divided by a solid barrier that is over 40 inches in height and there is no opening in the barrier through which caregivers and children can move freely, or there is an opening between the two sides but the opening is blocked such as with a child safety gate. If there is an opening through which caregivers and children can move freely and the opening is not blocked, refer to the instructions for a large opening, archway, or doorway.

When two rooms/areas are connected by a large opening, archway, or doorway, the rooms/areas will be considered:

- One room, if the width of the opening or archway is equal to or greater than the combined width of the walls on each side of the opening or archway, in the larger of the two rooms or areas, and there is no furniture or other dividers blocking the opening or archway. Otherwise the department shall consider this to be two rooms.
- Two rooms, if the width of the opening or archway is smaller than the combined width of the walls on each side of the opening or archway, in the larger of the two rooms or areas.

Outside Supervision

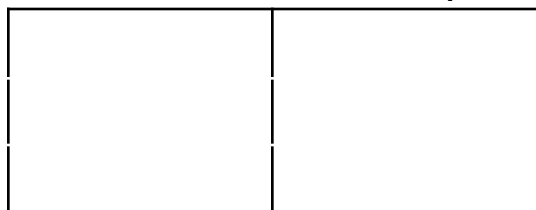
For supervision to be in compliance, there must be a staff member (or more, depending on the number of children) in each outdoor area. Staff may not supervise children from outside of a fence.

When determining the number of caregivers required for supervision in outdoor areas separated by interior fences, consider it:

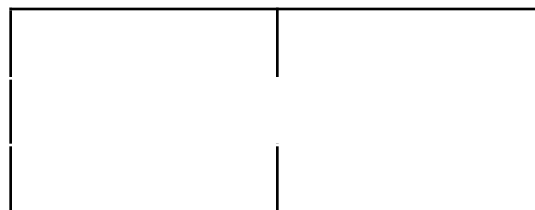
- One area, if the interior fence is lower than 24 inches in height, whether or not the fence has an opening.
- One area, if the interior fence is 40 inches or lower in height with an opening through which caregivers and children can move freely.

- Two areas if the interior fence is higher than 24 inches and there is no opening.
- Two areas, if the interior fence is higher than 40 inches whether or not the fence has an opening.

Outdoor Area Separated By Interior Fence is Considered One Area

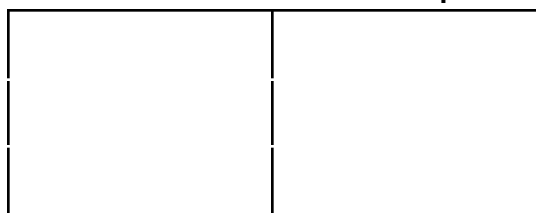


Interior fence is 24" or lower

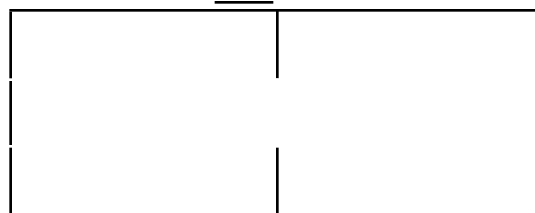


Interior fence is 40" or lower

Outdoor Area Separated By Interior Fence is Considered Two Areas



Interior fence is higher than 24"



Interior fence is higher than 40"

The following guidelines apply to the assessment of this rule both indoors and outdoors.

- Children may be allowed to leave the room or playground by themselves to use the bathroom or get a drink from an indoor drinking fountain, except when the bathroom is shared by the public (such as a bathroom in a gym, rec center, or park). This practice is allowed as long as the provider has and follows a written policy that includes the following:
 - Only one child at a time from each group may be allowed to go to the bathroom or to get a drink from an indoor drinking fountain. Another child cannot be allowed to leave until the previous child has returned.
 - The caregiver must track the time each child is gone, to make sure each child returns in a reasonable amount of time.
 - Building exits must be effectively monitored to ensure that children who are sent inside to use the bathroom or get a drink do not leave the building from another exit.

It is not out of compliance if:

- There is a staff member in the room but their back is turned to the children.
- Staff members send a school-age child on a brief errand out of the classroom (for example, to take something to the office or to get a drink from an indoor drinking fountain).
- During an inspection, the licenser takes the staff member to show or explain a rule violation.

Risk Level

Extreme

Corrective Action for 1st Instance

Citation and CMP when:

Lack of supervision results in:

- A lost child
- A child being left on an offsite activity
- A child being left unattended in a vehicle
- A child being left unsupervised at a pool
- A child being left at the center unsupervised

Risk Level

High

Corrective Action for 1st Instance

Citation and CMP Warning when:

- An exterior door is left open without a staff member in the room allowing children to exit the facility without supervision.
- A staff member was unable to accurately account for all of the children, including in an emergency evacuation.
- Any child is left in the care of an individual younger than 16 years old. (Individuals who are 16 or 17 years old may be caregivers, but may not be left alone with a child in care on the premises, in vehicles, or during offsite activities).

Risk Level

Moderate

Corrective Action for 1st Instance

Citation Warning when:

- Children are unsupervised (any lack of supervision that is not listed as high risk).
- A staff member leaves the children unsupervised to open the front door if the children are on the same floor and the room is in close proximity to the door.
- The caregiver's attention is not on the children but on the staff member's personal interests.

(2) The provider shall ensure that parents have access to their child and the areas used to care for their child when their child is in care.

Rationale/Explanation

Requiring unrestricted access of parents/guardians to their children is essential to preventing the abuse and neglect of children in child care. When access is restricted, areas observable by the parents/guardians may not reflect the care the children actually receive. CFOC 4th ed. Standard 2.3.1.2 p.p. 81-82;

Compliance Guidelines

- If the facility's doors are locked for security reasons, the provider must have a way to allow authorized parents to enter in a timely manner.
- Although not required by CCL, three common ways of securing a child care facility while allowing immediate access to parents include:
 - Using a keypad system in which parents can enter a code or use a fingerprint.
 - Monitoring an entrance visually or with audio and using a wi-fi enabled lock to buzz parents in.
 - Leaving one door unlocked and having a buzzer or doorbell that rings each time someone enters the facility.

Risk Level

Moderate

Corrective Action for 1st Instance

Citation Warning

- (3) To maintain security and supervision of children, the provider shall ensure that:**
- (a) each child is signed in and out;**
 - (b) only parents or individuals with written authorization from the parent may sign out a child;**
 - (c) photo identification is required if the individual signing the child out is unknown to the provider;**
 - (d) individuals signing children in and out use identifiers, such as a signature, initials, or electronic code;**
 - (e) the sign-in and sign-out records include the date and time each child arrives and leaves; and**
 - (f) there is written permission from the child's parent if children sign themselves in or out.**

Rationale/Explanation

The facility should have a sign-in/sign-out system to track who enters and exits the facility. This system helps to maintain a secure environment for children and staff. It also provides a means to contact visitors if needed (such as a disease outbreak) or to ensure all individuals in the building are evacuated in case of an emergency. CFOC 4th ed. Standard 9.2.4.7 p.p. 400.

Releasing a child into the care of an unauthorized person may put the child at risk. If the caregiver/teacher does not know the person, it is the caregiver's/teacher's responsibility to verify that the person picking up the child is authorized to do so. This requires checking the written authorization in the child's file and verifying the identity of the person. CFOC 4th ed. Standard 9.2.4.8 p.p. 400-401.

Accurate record keeping also aids in tracking the amount (and date) of service for reimbursement and allows for documentation in the event of child abuse allegations or legal action involving the facility CFOC 4th ed. Standard 9.2.4.10 p.p. 401-402.

Compliance Guidelines

- There must be a separate signature, initials or code entry for each time a child is signed in and for each time a child is signed out.
- Rule requires that anyone signing a child out of child care has the parent's written authorization. This authorization is not required when signing a child into the child care facility.
- The person signing a child out must use their own signature or identifier, not the signature of the parent.
- The provider may accept an electronic permission statement (such as an email or text message) from the parent for an individual to sign out their child as long as the caregiver can confirm the sender's identity.
- An electronic computer system that uses an identification code to sign children in and out meets the intent of this rule.
- A caregiver may release a child to a person younger than 18 years old as long as the person has written authorization from the child's parent to sign the child out.
- Providers and employees must sign in and out their own qualifying children who are in care.

Risk Level

High

Corrective Action for 1st Instance

Citation and CMP Warning when:

- An unauthorized person is allowed to take a child from the facility.
- The provider allows a child to sign out of child care without having permission from the parent.

Risk Level

Low

Corrective Action for 1st Instance

Warning otherwise

- (4) In an emergency, the provider shall accept the parent's verbal authorization to release a child when the caregiver can confirm the identity of:
- (a) the individual giving verbal authorization, and
 - (b) the individual picking up the child.

Rationale/Explanation

If there is an extenuating circumstance (e.g., the parent/ guardian or other authorized person is not able to pick up the child), another individual may pick up a child from child care if they are authorized to do so by the parent/guardian in authenticated communication such as a witnessed phone conversation in which the caller provides pre-specified identifying information or writing with pre-specified identifying information. The telephone authorization should be confirmed by a return call to the parents/guardians. The facility should establish a mechanism for identifying a person for whom the parents/guardians have given the facility prior written authorization to pick up their child, such as requiring photo ID or including a photo of each authorized person in the child's file. CFOC 4th ed. Standard 9.2.4.8 p.p. 400-401.

Compliance Guidelines

- In an emergency, a parent may use an electronic means (such as an email or text message) as authorization to release their child as long as the caregiver can confirm the sender's identity.

Risk Level

Low

Corrective Action for 1st Instance

Warning

- (5) The provider shall ensure that a six-week record of each child's daily attendance, including sign-in and sign-out records, is kept on-site for review by the department.**

Rationale/Explanation

This standard ensures that the facility knows which children are receiving care at any given time including evacuation. It aids in the surveillance of child: staff ratios, knowledge of potentially infectious diseases (i.e., influenza), planning for staffing, and provides data for program planning. CFOC 4th ed. Standard 9.2.4.10 p.p. 401-402.

Compliance Guidelines

Records may be kept as a hard copy or electronically.

Risk Level

Low

Corrective Action for 1st Instance

Warning